

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Mercedes Nightingale Morgan-Buechner,

Civil No. 19-1916 (DWF/ECW)

Plaintiff,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

v.

James Edward Buechner,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated August 22, 2019. (Doc. No. 4.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Wright's August 22, 2019 Report and Recommendation (Doc. No. [4]) is **ADOPTED**.
2. This matter is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B).

3. The application to proceed *in forma pauperis* of Plaintiff Morgan-Buechner (Doc. No. [2]) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 20, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge